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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/773,693	02/02/2001	Katsuhisa Matsuura	Q62933	7884	
7590 07/01/2004		EXAMINER			
Sughrue, Mior	Sughrue, Mion, Zinn,			CHIANG, JACK	
MacPeak and Seas 2100 Pennsylvania Avenue, N.W.			ART UNIT	PAPER NUMBER	
Washington, DC 20037-3202			2642		
			DATE MAILED: 07/01/2004	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

Rev. 10/03

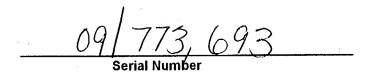
## UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5 19 04 is considered non-compliant because it has failed to meet the requirement 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).  THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:  1. Amendments to the specification:  2. A Amended paragraph(s) do not include markings.  3. B. New paragraph(s) should not be underlined.  3. C. Other	ts of .co
<ul> <li>□ A. Amendments to the specification:</li> <li>□ A. Amended paragraph(s) do not include markings.</li> <li>□ B. New paragraph(s) should not be underlined.</li> <li>□ C. Other</li> </ul>	
Li 2. Abstract:	
A. Not presented on a separate sheet. 37 CFR 1.72.  B. Other	
3. Amendments to the drawings:	
4. Amendments to the claims:  A. A complete listing of all of the claims is not present.  B. The listing of claims does not include the text of all claims (including withdrawn claims)  C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.  D. The claims of this amendment paper have not been presented in ascending numerical order.  E. Other: Claim Lisimproper there are markings.	⊃h
For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <a href="http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf">http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf</a> .	
If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result non-entry of the preliminary amendment and examination on the merits will commence without consideration of the propochanges in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time like is not extendable.	t in sed
If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), since the amendment appears to be a <i>bona fide</i> attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1. in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).	of
If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliance.	
Status of the amendment.    Colembon   703-305-   O500     Legal Instruments Examiner (LIE)   Telephone No.	



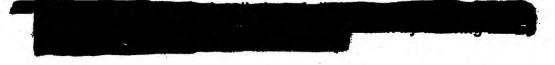
	Canceled claims cannot show text of claim.
	"Amended" is not a proper status identifier.
	Amendments to the Specifications should begin on a separate page.
	Amendment to the Claims should begin on a separate page.
	"Remarks" should begin on a separate sheet.
	The "Cover Sheet", amendments to the "Specifications", amendments to the "Claims", and "Remarks" should each begin on a separate sheet.
	Only "Currently Amended" and "Withdrawn" claims can show markings.
	<u>Drawings should each have "Replacement Sheet(s)" or "Annotated Sheet(s)" as a heading.</u>
	<u>"Previously Added" is not a proper status identifier.</u>
	"Previously Amended" is not a proper status identifier.
	A Clean copy and A Marked Up copy of the Claims is a Non-Compliant amendment Format.
	"Re-Presented" is an improper status identifier.
	"Claims have been cancelled" is an improper status identifier.
en en sample de la constante d	"Currently Amended claims must show markings.

	A Clean copy and a Marked Up copy of Substitute Specification is needed.
<del></del>	Amendments to the Specifications must be by marked-up replacement paragraphs or sections only; (no clean or replacement paragraph or section is required; No replacements sheets permitted.
$\sqrt{}$	Claim I status is previously presented however
	it has markings and that is improper.

## REVISED AMENDMENT PRACTICE HIGHLIGHTS

Requirements of the revised amendment practice of the final rule for all amendments filed on or after <u>July 30, 2003</u>:

- 1. Each amendment section must begin on a separate sheet
- 2. A <u>separate "clean" version</u> of a currently amended paragraph or claim is NO LONGER REQUIRED (except for a <u>substitute</u> specification see No. 5 below)
- 3. If the amendment adds, changes, or deletes any claim, a <u>listing of all</u> <u>claims</u> that are, or were, in the application, must be provided as follows:
  - The claims must be listed in ascending numerical order
  - The <u>text of all pending claims including withdrawn claims must</u> <u>be presented</u>; no text for "canceled" or "not entered" claims
  - A <u>status identifier</u> must be presented in parentheses after the claim number for each claim; only the following identifiers are permitted: (original), (currently amended), (canceled), (withdrawn), (new), (previously presented), and (not entered)
  - All "currently amended" claims must have <u>markings</u> to show changes; the only markings permitted are underlining for added matter, strikethrough and double brackets [[ ]] (for five or fewer characters) for deleted matter
  - Grouping of consecutive "canceled" or "not entered" claims permitted (e.g., claims 2-8 (canceled))



- 5. Amendments to the specification by <u>marked-up replacement</u> <u>paragraphs or sections only</u> no clean replacement paragraph or section is required; <u>NO</u> replacement <u>sheets</u> permitted
  - Note, however, that for <u>substitute</u> specifications, rule 1.125 continues to require both a clean and marked-up copy
- 6. <u>Drawing changes</u> without markings clean replacement drawing sheets only annotated sheet(s) showing changes may be submitted